WPSS No. 3105 of 2001

Hon. A.A. Desai, C.J.
Hon. Irshad Hussain, J.

Heard Sri K.N.Joshi, learned counsel for the petitioner, Sri J.P. Joshi, counsel for the State of Uttaranchal and Sri Brahm Singh, S.C., Government of U.P.

According to the petitioner, the petitioner's husband was engaged for election duty. For that special insurance cover was given. While on duty, the husband of the petitioner died. According to the petitioner, she is entitled to the claim for insurance.

Undisputedly, the husband of the petitioner died due to ailment with which he was already suffering. The death was not due to or arisen out of the performance of election duty. As such, she is not entitled to special benefit under the insurance scheme.

We, therefore, dismiss the petition.

(Irshad Hussain,J.)(A.A. Desai, C.J.)

Dt. 08.07.2002
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